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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,116	10/02/2003	Seong Woon Kim	123056-05004412	6033
43569	7590	11/09/2005	EXAMINER	
MAYER, BROWN, ROWE & MAW LLP			STIGLIC, RYAN M	
1909 K STREET, N.W.				
WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/676,116	Applicant(s) KIM ET AL.	
	Examiner Ryan M. Stiglic	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                                    |

### **DETAILED ACTION**

1. Claims 1-9 are pending and have been examined.
2. Claims 1-9 are rejected.

### ***Specification***

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. The abstract of the disclosure is objected to because undue length. Correction is required.

See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what Applicant means by the limitation "a great deal of data".

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Phillbrick et al. (US20010037406A1).

For claim 1, Phillbrick discloses:

A network-storage apparatus (Fig. 1, 'INIC' 22; paragraph [0042]) for high-speed streaming data transmission through a network, the network-storage apparatus processing the streaming data for a plurality of disc storages of an Internet server computer system and a network apparatus, the apparatus comprising:

- an internal peripheral device bus separated from a peripheral device bus outside the network-storage apparatus, for transmitting data between devices inside the network-storage apparatus (Fig. 1, 48; [0043]);

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- a peripheral device bus bridge for transferring bus transaction from a host processor to the internal peripheral device bus and transferring bus transaction for a host processor executing inside the network-storage apparatus or a main memory to a bus bridge (Fig. 1, 50; [0043]);
- a disk controller for controlling a plurality of disc storage connected to the network-storage apparatus and managing reading and writing data from and to the disc storage (Fig. 1, 72; [0045]);
- a peripheral memory for storing transmitted data between the disc storage and the network (Fig. 1, 46; [0043]);
- a peripheral memory controller for controlling the peripheral memory and storing or outputting the transmitted data between the disc storage and the network ([0053]; and
- a TOE for reading data to be transmitted to the network from the peripheral memory, constructing the data in the form of a packet, transmitting the packet to the network, and storing the data received from the network in the peripheral memory through the peripheral memory controller (Fig. 1, items 52,58,60; [0043-0062]).

For claim 2, Phillbrick discloses:

The apparatus of claim 1, wherein the peripheral device bus is a PCI bus and the peripheral device bus bridge roles a PCI bridge ([0066]).

For claim 3, Phillbrick discloses:

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The apparatus of claim 1, wherein the disk controller is connected to a plurality of disc storages in parallel through a disk interface bus and accesses to the data in a pipeline manner ([0111-0113]).

For claim 4, Phillbrick discloses:

The apparatus of claim 1, wherein the disk controller reads and writes data from and to a plurality of disc storages in a stripping manner ([0044-0045] Where stripping is a form of RAID clearly covered by the scope of the word RAID).

For claim 5, Phillbrick discloses:

The apparatus of claim 1, wherein the peripheral memory controller constructs a memory table so as to cache data transmitted from and to the network ([0045-0046,0055,0059-0060,0110] etc.).

For claim 6, Phillbrick discloses:

The apparatus of claim 1, wherein the peripheral memory controller is provided a register for indicating size of the peripheral memory inside the peripheral memory controller, and transmits a great deal of data in a DMA manner ([0110,0052-0053]).

For claim 7, Phillbrick discloses:

The apparatus of claim 1, wherein the peripheral memory controller deletes contents of a memory table thereof when finishing accessing to the peripheral memory ([0045-0046,0055,0059-0060,0110]).

For claim 8, Phillbrick discloses:

The apparatus of claim 1, wherein the TOE creates a DSB table having information on packet data to be transferred to the disk immediately among data packets received from the network, transmitting a data packet to the peripheral memory to store the data packet if the data packet storable in the disk has information matching DSB, and transmitting a data packet to a general network stack otherwise ([0043-0062]).

For claim 9, Phillbrick discloses:

The apparatus of claim 1, wherein the TOE reads data to be transmitted to the network from the peripheral memory, constructs the data in the form of a packet and transfers the data packet to the network when the data to be transmitted is stored in the peripheral memory and the TOE receives a data transmission instruction from a host processor ([0043-0062]).

### ***Conclusion***


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure since it pertains to TCP/IP Offload Engines and on-demand data streaming.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan M. Stiglic whose telephone number is 571.272.3641. The examiner can normally be reached on Monday - Friday (6:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571.272.3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMS

  
**PAUL R. MYERS**  
**PRIMARY EXAMINER**